

PATENT COOPERATION TREATY

AUG 24 2001

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: MARY ANTHONY MERCHANT
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PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

08 AUG 2001

Applicant's or agent's file reference

01005-0101WP

IMPORTANT NOTIFICATION

International application No.

PCT/US98/24272

International filing date (day/month/year)

13 NOVEMBER 1998

Priority Date (day/month/year)

14 NOVEMBER 1997

Applicant

ACRYMED

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US

Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20331

Facsimile No. (703) 305-3230

Authorized officer

KIM M. LEE

Telephone No. (703) 308-1191

SCANNED

Form PCT/IPEA/416 (July 1992)★

ENTERED COMPUTER ON

8/27/01

207376PC

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 01005-0101WP	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US98/24272	International filing date (day/month/year) 13 NOVEMBER 1998	Priority date (day/month/year) 14 NOVEMBER 1997
International Patent Classification (IPC) or national classification and IPC IPC(7): A61K 31/74; and US Cl.: 424/78.06		
Applicant ACRYMED		

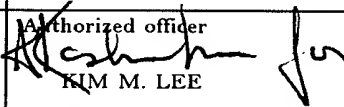
1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets.

☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 14 JUNE 1999	Date of completion of this report 31 MAY 2000
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  KIM M. LEE
Facsimile No. (703) 305-3230	Telephone No. (703) 308-1191

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/24272

I. Basis of the report1. With regard to the **elements** of the international application:*☒ the international application as originally filed☒ the description:

pages 1-24 , as originally filed
pages NONE , filed with the demand
pages NONE , filed with the letter of _____

☒ the claims:

pages 25-27 , as originally filed
pages NONE , as amended (together with any statement) under Article 19
pages NONE , filed with the demand
pages NONE , filed with the letter of _____

☒ the drawings:

pages 1, 2 , as originally filed
pages NONE , filed with the demand
pages NONE , filed with the letter of _____

☒ the sequence listing part of the description:

pages NONE , as originally filed
pages NONE , filed with the demand
pages NONE , filed with the letter of _____

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
☒ the claims, Nos. NONE
☒ the drawings, sheets/fig NONE

5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

**Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/24272

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. statement**

Novelty (N)	Claims	<u>8, 10</u>	YES
	Claims	<u>1-7, 9</u>	NO
Inventive Step (IS)	Claims	<u>11-19</u>	YES
	Claims	<u>1-10</u>	NO
Industrial Applicability (IA)	Claims	<u>1-19</u>	YES
	Claims	<u>NONE</u>	NO

2. citations and explanations (Rule 70.7)

Claims 1-7 and 9 lack novelty under PCT Article 33(2) as being anticipated by the patent to Nangia et al. Nangia et al. disclose a non-gelable polysaccharide comprising the claimed characteristics, and features.

Claims 8 and 10 lack an inventive step under PCT Article 33(3) as being obvious over Nangia et al. in view of Haynes et al. The antimicrobial wound healing, the growth factors of Haynes et al. being used in the membrane of Nangia et al. would not involve an inventive step because the membrane of Haynes et al., the dressing of Nangia et al. have similar composition, and use.

Claims 11-19 meet the criteria set forth in PCT Article 33(2)-(4) prior art does not teach or fairly suggest a wound dressing device formed into a multi-stranded structure.

————— NEW CITATIONS —————

US 5,660,854 A (HAYNES et al.) 26 AUGUST 1997, see column 4, lines 15-34.

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To: MARY ANTHONY MERCHANT
JONES & ASKEW, LLP
2400 MONARCH TOWER
191 PEACHTREE STREET, N.E.
ATLANTA, GEORGIA 30326

RECEIVED

WRITTEN OPINION

FEB 22 2000

(PCT Rule 66)

JONES & ASKEW

SCANNED

DOCKETED

Date of Mailing
(day/month/year)

18 FEB 2000

Applicant's or agent's file reference

01005-0101WP

REPLY DUE

within ONE months
from the above date of mailing

International application No.

PCT/US98/24272

International filing date (day/month/year)

13 NOVEMBER 1998

Priority date (day/month/year)

14 NOVEMBER 1997

International Patent Classification (IPC) or both national classification and IPC
IPC(6): A61L 15-06; and US Cl.: 424/78.06

Applicant

ACRYMED

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.

2. This opinion contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

3. The applicant is hereby invited to reply to this opinion.

When? See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).~~

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 *bis*.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.

4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 14 MARCH 2000

Name and mailing address of the IPEA/US

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